

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CASE NO. CR07-238-MJP
)	
v.)	
)	
ANTHONY SMITH,)	DETENTION ORDER
)	
Defendant.)	
)	
_____)	

Offenses charged:

Count I: Mail Fraud, in violation of Title 18, U.S.C., Section 1341;

Count II: False Statement, in violation of Title 18, U.S.C., Section 1001.

Date of Detention Hearing: July 10, 2007

The Court, having conducted a contested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Andrew Smith. The defendant was represented by Carol Koller.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) Defendant has an active arrest warrant in the state of Mississippi for armed robbery in 2006. A fugitive warrant issued for the same offense gave the defendant notice of the outstanding Mississippi warrant. The warrant, although not extraditable, meant that the defendant would have to surrender or return to

1 resolve the matter. After more than a year defendant still had not surrendered.

- 2 (2) Defendant lacks stable employment or stable ties to the Western District of
3 Washington, although he indicates he has resided here for two years.

4 Thus, there is no condition or combination of conditions that would reasonably assure future
5 court appearances.

6 **It is therefore ORDERED:**

- 7 (1) Defendant shall be detained pending trial and committed to the custody of the
8 Attorney General for confinement in a correctional facility separate, to the extent
9 practicable, from persons awaiting or serving sentences, or being held in custody
10 pending appeal;
11 (2) Defendant shall be afforded reasonable opportunity for private consultation with
12 counsel;
13 (3) On order of a court of the United States or on request of an attorney for the
14 Government, the person in charge of the correctional facility in which Defendant
15 is confined shall deliver the defendant to a United States Marshal for the purpose
16 of an appearance in connection with a court proceeding; and
17 (4) The clerk shall direct copies of this order to counsel for the United States, to
18 counsel for the defendant, to the United States Marshal, and to the United States
19 Pretrial Services Officer.

20 DATED this 10th day of July, 2007.

21
22 

23 MONICA J. BENTON
24 United States Magistrate Judge
25
26